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7 IN THE UNITED STATES DISTRICT COURT
8
9 DISTRICT OF ARIZONA

10 United States of America,

No. 08-6114 M

11 Plaintiff,

12 -vs-

ORDER

13 Francisco Ruiz-Ponce,

14 Defendant.

15 Having considered Defendant's Motion to Extend Time and good cause
16 having been shown;

17 THE COURT makes the following findings:

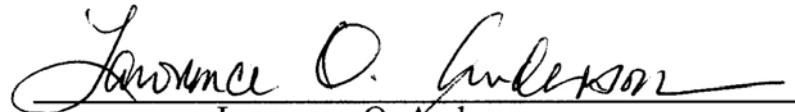
- 18 1. Counsel for defendant has only recently been appointed;
- 19 2. The defendant earnestly wishes to consider the plea offer extended by
the government;
- 20 3. The defendant wishes to investigate possible defenses prior to
considering the government's plea offer;
- 21 4. The government's plea offer, if accepted by the defendant and then the
court, would likely reduce defendant's exposure to a significant term of
imprisonment;
- 22 5. If the defendant does not timely accept the plea offer prior to indictment,
the government will withdraw said plea offer and any subsequent plea
offer after indictment would likely be less advantageous to the
defendant;
- 23 6. Failure to extend time for indictment int his instance would thus operate
to bar defendant from reviewing the governments plea offer in a
meaningful way prior to indictment; and,

1 7. The ends of justice served by this continuance outweigh the best interest
2 of the public and the defendant in a speedy indictment.

3 **IT IS HEREBY ORDERED** that defendant's Motion to Extend Time for
4 Indictment requesting an extension of thirty (30) days within which the government
5 may seek to indict defendant, is hereby granted.

6 **IT IS FURTHER ORDERED** that pursuant to the Speedy Trial Act, 18 U.S.C. 3161,
7 the Government shall have an extension of thirty (30) days to file a timely Indictment.
8 Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days
9 in which the Government may present the case to the grand jury.

10 DATED this 7th day of April, 2008.

11 
12 Lawrence O. Anderson
13 United States Magistrate Judge